

12/09/99  
JCS30 U.S. PTO

12-10-99

PATENT  
1171/36576A/56A

*A. J. Parks*  
2-19-00  
*11/15/99*  
*And H. A.*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 35 CFR 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231.

*Kathy Lombardi*  
Kathy Lombardi

Anticipated Classification of the application:

Class: Subclass:

Prior application:

Serial No.: 09/097,832  
Filed: June 16, 1998  
Examiner: J. WEISS JR  
Group Art Unit: 3761

JCS30 U.S. PTO  
09/457797  
12/09/99

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL OF FILING UNDER 37 CFR 1.53(b)**

This is a request for filing a

☐ Continuation

☒ Divisional

application under 37 CFR 1.53(b), of pending prior application Serial No. 09/097,832, filed on June 16, 1998 of LEWIS GEORGE GRADON, STEPHEN WILLIAM McPHEE, PAUL JOHN SEAKINS and PETER JOHN LEONARD for HUMIDITY SENSING PROBE.

1. **Copy of Prior Application as Filed Which is Attached**

☒ I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the Declaration originally filed (37 CFR 1.53).

The copy of the papers of prior application as filed which are attached are as follows:

☒ 30 pages of specification

☒ 28 pages of claims

☒ 1 page of abstract

☒ 6 sheets of drawing

☒ 2 pages of declaration and power of attorney

☒ in accordance with the indication required by 37 CFR 60(b) my records reflect that the original signed declaration was executed by:

LEWIS GEORGE GRADON on July 7, 1998;

STEPHEN WILLIAM McPHEE on June 7, 1998;

PAUL JOHN SEAKINS on July 7, 1998 and

PETER JOHN LEONARD on June 7, 1998 and filed on July 23, 1998.

09457797 "120999"

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2. **Amendments**

☒ Cancel in this application original claims 13-118 of the prior application before calculating the filing fee.

3. **Information Disclosure Statement**

☒ An Information Disclosure Statement is submitted herewith.

4. **Fee Calculation (37 CFR 1.16)**

CLAIMS AS FILED			
Number Filed	Number Extra	Rate	Basic Fee
			\$ 790.00
Total Claims 22	2	x \$ 22.00	44.00
Independent Claims 1	0	x \$ 80.00	0.00
Multiple dependent claim(s), if any		+ \$260.00	0.00
Filing Fee Calculation			\$834.00

5. **Small Entity Status**

A verified statement that this filing is by a small entity:

☐ is attached.

☐ has been filed in the parent application and such status is still proper and desired.

Filing Fee Calculation (50% of above) \_\_\_\_\_

6. **Drawings**

☐ Formal

☒ Informal

7. **Relate back -- 35 U.S.C. 120**

☒ Amend the specification by inserting before the first line the sentence:

"This is a

☒ divisional

of copending application

☒ Serial Number 09/097,832 filed on June 16, 1998.

8. **Inventorship Statement**

(a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are):

☒ the same

☐ less than those named in the prior application. It is requested that the following inventors identified above for the prior application be deleted:

- (b) The inventorship for all the claims in this application are:
- ☒ the same.
- ☐ not the same. And an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

9. **Assignment**

- ☒ The prior application is assigned of record to  
FISHER & PAYKEL LIMITED, 78 SPRINGS ROAD, EAST TAMAKI,  
AUCKLAND, NEW ZEALAND  
The assignment was recorded July 23, 1998 on reel/frame number 9344/0135.
- ☐ An Assignment of the invention to Fisher & Paykel Limited is attached. A separate "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO-1595 is also attached.

10. **Fee Payment Being Made At This Time**

Enclosed

- ☒ basic filing fee \$ 834.00
- ☐ recording assignment (\$40.00; 37 CFR 1.21(h))  
(See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW PATENT APPLICATION".)
- ☐ processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l)).

**Total Fees Enclosed \$834.00**

11. **Method of Payment of Fees**

- ☒ enclosed is a check in the amount of \$ 834.00

12. **Authorization To Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 20-1495.
- ☒ 37 CFR 1.16(a), (f) or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 CFR 1.17 (application processing fees)

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3. **Power of Attorney**

☒ The power of attorney in the prior application is to  
Raiford A. Blackstone, Jr., Reg. No. 25,256

- a. ☒ The power appears in the original papers in the prior application.  
b. ☐ Because the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
c. ☐ A new power has been executed and is attached.  
d. ☒ Address all future communications to:

Raiford A. Blackstone, Jr., Reg. No. 25,156  
TREXLER, BUSHNELL, GIANGIORGI  
& BLACKSTONE, LTD.  
105 W. Adams Street, 36th Floor  
Chicago, Illinois 60603-6299  
(312) 704-1890

14. **Petition for Extension of Time in Prior Application**


- ☐ A petition for extension of time and an amendment are being filed with the pending parent application.  
☐ A copy of the petition for extension of time in the pending parent application is attached.

15. **Notification in Parent Application of the Filing of This Divisional Application**

- ☒ A notification of the filing of this divisional is being filed in the parent application from which this application claims priority under 35 U.S.C. § 120.

Respectfully submitted,  
TREXLER, BUSHNELL, GIANGIORGI  
& BLACKSTONE, LTD.  
Attorney for Applicant

Date: December 9, 1999

By:   
Raiford A. Blackstone, Jr., Reg. No. 25,256  
Linda L. Palomar, Reg. No. 37,903  
105 West Adams Street, 36th Floor  
Chicago, Illinois 60603  
(312) 704-1890

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